

Clean Coal Power Initiative Solicitation

**Draft Solicitation Meeting
January 17, 2002**

**Environmental Provisions
NEPA and EIV**



Environmental Provisions

- **Section III - Clause 'MM' - NEPA Compliance**
 - Project specific reviews before selection
 - Site specific analysis after selection
- **Purpose**
 - Ensure that environmental factors are considered
 - Promote environmentally responsible decisions
- **Regulatory drivers**
 - CEQ regulations - 40 CFR 1500-1508
 - DOE regulations - 10 CFR 1021



Environmental Provisions

- **Section III - Clause ‘NN’ - Pre-Selection**
 - Environmental Questionnaire required in Volume 1
 - Provides basis for environmental critique:
 - Offeror’s consideration of environmental factors
 - Offeror’s evaluation of environmental consequences
- **Section IV - Application Preparation Instructions (Clause D.1; A.3 - Environmental Questionnaire)**
 - National Environmental Policy Act Questionnaire at *www.netl.doe.gov/business/faapiaf/volume1/volume1.html*
 - Accessible in Word, WordPerfect, or PDF format with filename descriptor ‘*nepasol*’



Environmental Questionnaire

- **Non-complex, 3-page form**
- **NOT part of Technical Volume**
- **Separate form for each major work site**
- **Requests:**
 - Summary and characterization of proposed work
 - Size and scope of tests and development work
 - Identification of feed and product materials and quantities
 - Description of project location
- **Signed by the Offeror**



Environmental Provisions

- **Section V - Evaluation and Selection (Clause F - Offer and Other Documents Evaluation Criterion)**
 - Environmental Questionnaire - evaluated to:
 - Determine adequacy and completeness of furnished data
 - Assess awareness of project-related requirements
 - Assess offeror's mitigation of project risks and impacts
- **Implications**
 - Provides “first-cut” information to selection officials
 - Potential environmental consequences of project
 - Potential DOE requirements for NEPA compliance (Categorical Exclusion: Environmental Assessment; or Environmental Impact Statement)
 - Not point-scored



Environmental Provisions

- **Section III - Clause 'VV' - Post Selection**
 - DOE may request an EIV (Environmental Information Volume)
- **Implications**
 - Provides information for preparation of NEPA analyses other than Categorical Exclusions
 - Timing and Quality directly affect the schedule for completing the NEPA analysis
- **Guidelines for preparation may be viewed at *www.netl.doe.gov/ppii/pdf/EIV_GUIDE.PDF***



Environmental Provisions

- **Section III - Clause 'OO' - Post-Selection**
 - Additional information may be requested - EIV
 - NEPA documents prepared
 - Must be completed before DOE shares costs of detailed design or subsequent activities
- **Implications**
 - NEPA analysis and document preparation can begin immediately following selection
 - NEPA process does not require completion prior to to award, but does restrict Federal expenditures
 - Effective interactions with the selected organization is vital to a successful and timely NEPA process



Environmental Considerations

- **Environmental Assessment (EA)**
 - May require 4-6 months following EA decision and EIV receipt
 - Includes public participation
 - Includes consultation with Federal, State, and local government officials and affected tribes
 - Requires identification and analysis of reasonable alternatives
 - Results in Finding of No Significant Impact or decision to prepare an EIS
 - May include Mitigation Actions



Environmental Considerations

- **Environmental Impact Statement (EIS)**
 - May require 15 months or more following EIS decision and EIV receipt
 - Involves public as “quasi-partner” in definition, development, and review of environmental analysis
 - Requires at least 2 public meetings
 - Includes consultation with Federal, State, and local government officials and affected tribes
 - Requires identification and detailed analysis of reasonable alternatives
 - Results in a Record of Decision
 - May include Mitigation Actions



Environmental Provisions

- **Section III - Clause 'PP' - Post Award**

- Awards will specify monitoring & reporting requirements

- **Implications**

- Established as part of the solicitation and negotiation processes
 - Involve decisions by the DOE technical manager
 - Provide assurance of ES&H regulatory compliance and fulfillment of NEPA commitments

- **Examples**

- Environmental Compliance Plan
 - Environmental Monitoring Plan and Status
 - Hazardous Substance Plan and Hazardous Waste Report

